

LABOUR DEPARTMENT

The 14th September, 1982

No. 9(1)82-6Lab/8494.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Phoma Plasto Engineering, 2E-41-A, NIT, Faridabad.

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA FARIDABAD

Reference No. 116/82

between

SHRI ABDUL SHAHED WORKMAN AND THE MANAGEMENT OF M/S PHOMA PLASTO
ENGINEERING, 2/E-41-A, N. I. T., FARIDABAD

Presents.—

Shri R. L. Sharma for the workman.

Nemo for the management.

AWARD

The State Government of Haryana referred the following dispute between the workman Shri Abdul Shaheed workman and the management of M/s Phoma Plasto Engineering, 2/E-41-A, N.I.T., Faridabad, by order No. ID/PD/46/82, dated 15th April, 1982, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of service of Shri Abdul Shaheed was justified and in order ?
If not, to what relief is he entitled ?

Notices of the reference were sent to the parties. The workman was present but the management refused to receive the notice of the case. Therefore, a U.P.C. notice under rule 18 of the Industrial Disputes Punjab Rules, 1958 was also sent but the management failed to appear despite it. The management was proceeded *ex parte* and the case was fixed for the evidence of the workman. In evidence, the workman examined himself and deposed that the joined service as Turner from May, 1980 at Rs. 450 P. M. He was removed from service without any reason notice or enquiry sheet on 23rd April, 1982.

Believing the *ex parte* statement of the workman, I find that the order of dismissal was wrongful. Therefore, I gave my award that the workman is entitled to his reinstatement with continuity of service and with full back wages.

Dated the 3rd August, 1982.

M. C. BHARDWAJ,
Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

Endst. No. 885, dated the 11th August, 1982

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,
Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.